Sheila S. Trexler, SBN 123871
Tamara Glaser, SBN 200502
NEIL, DYMOTT, FRANK,
MCFALL & TREXLER
A Professional Law Corporation
1010 Second Avenue, Suite 2500
San Diego, CA 92101-4959
P 619.238.1712
F 619.238.1562

Attorneys for Defendant
MORTEZA MIRKARIMI, M.D.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

CARMEN POWELL, Plaintiff, v. CITY OF CHULA VISTA; CHULA VISTA POLICE DEPARTMENT; DET. RUTH HINZMAN; AGT. ANDERSON; AGT. OYOS; SGT. CERVANTES; AND PERSON ENTITIES UNKNOWN; COUNTY OF SAN DIEGO AND SAN DIEGO COUNTY PROTECTIVE SERVICES WORKERS JULIE SMITH, NADIA NAJORS, MEGAN PETFINGER, REBECCA SLADE AND PERSONS AND ENTITIES UNKNOWN; CHILDREN'S HOSPITAL; DIANA CHASE; NURSE DEBRA DAVIES, LCSW, Defendants.	**Case No.: 07 CV 1836 JAH (JMA)** **DECLARATION OF TAMARA L. GLASER IN SUPPORT OF DEFENDANT MORTEZA MIRKARIMI, M.D.'S MOTION FOR ENTRY OF FINAL JUDGMENT** Date: July 14, 2008 Time: 2:30 p.m. Judge: Honorable John A. Houston Room: Courtroom 11

I, TAMARA L. GLASER, DECLARE:

1. I am an attorney duly licensed to practice law before all courts in the State of California. I am employed with the law firm of Neil, Dymott, Frank, McFall & Trexler APLC, attorneys of record for Defendant SAN GORGONIO MEMORIAL HOSPITAL ("SGMH"). As such, I am familiar with the facts regarding this matter and could and would competently testify regarding the matters set forth herein.

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2. Attached hereto as Exhibit A is a true and correct copy of the Court's minute order dated April 28, 2008.

3. Attached hereto as Exhibit B is a true and correct copy of the online docket report evidencing Dr. Mirkarimi's termination from this instant action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: June 4, 2008 By: s/ Tamara L. Glaser
Tamara L. Glaser

Exhibit A

03/21/2008	30	REPLY re 20 MOTION to Dismiss *12(b)(6)* filed by Children's Hospital, Diana Chase. (Kanno, Rita) (jpp,). (Entered: 03/21/2008)
03/21/2008	31	REPLY to Response to Motion re 11 MOTION to Dismiss *Plaintiff's Complaint* filed by Julie Smith. (Sanchez, Ricky) (jpp,). (Entered: 03/21/2008)
03/21/2008	32	REPLY to Response to Motion re 23 MOTION to Dismiss *Plaintiff's Complaint Reply Memorandum in Support of Motion to Dismiss* filed by Morteza Mirkarimi. (Glaser, Tamara) (jpp,). (Entered: 03/21/2008)
03/28/2008	33	Discrepancy Order by Judge John A. Houston accepting document: Motion for extension of time for filing opposition to motion to dismiss. from Plaintiff Carmen Powell, non-compliance with local rule 7.1 or 47.1.. Signed by Judge John A. Houston on 03/27/08. (jpp) (Entered: 04/01/2008)
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04/28/2008	39	Minute Entry for proceedings held before Judge John A. Houston:Motion Hearing held on 4/28/2008. The Court dismisses claims #2 and 3 as to all defendants with prejudice. Defendants Childrens Hospital, Diana Chase and Dr. Morteza Mirkarimi are dismissed without prejudice. Plaintiff granted leave to amend the complaint by 5/20/08. (Court Reporter Cameron Kircher).(Plaintiff Attorney Carmen Powell).(Defendant Attorney Ricky Sanchez, Rito Kanno, Tamara Glaser).(lwm) (Entered: 04/29/2008)
05/22/2008	40	Discrepancy Order by Judge John A. Houston accepting document: First Amended Complaint from Plaintiff Carmen Powell, non-compliance with local rule Other: No Proof of Service. Plaintiff shall submit proof of service by 05/30/08. Signed by Judge John A. Houston on 05/21/08. (jpp) (jpp). (Entered: 05/22/2008)
05/22/2008	41	FIRST AMENDED COMPLAINT against all defendants, filed by Carmen Powell. NUNC PRO TUNC 05/20/08.(jpp) (Entered: 05/22/2008)
05/22/2008	42	Discrepancy Order by Judge John A. Houston accepting document: Untitled

Exhibit B

U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:07-cv-01836-JAH-JMA

Powell v. City of Chula Vista et al
Assigned to: Judge John A. Houston
Referred to: Magistrate Judge Jan M. Adler
Cause: 18:241 Conspiracy Against Citizen Rights

Date Filed: 11/28/2007
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Carmen Powell represented by **Carmen Powell**
372 Bay Leaf Drive
Chula Vista, CA 91910
619-420-4204
PRO SE

V.

Defendant

City of Chula Vista, -

Defendant

Chula Vista Police Department

Defendant

Ruth Hinzman
Det

Defendant

Anderson
AGT

Defendant

Oyos
Agt

Defendant

Cervantes
Sgt

Defendant

Person Entities Unknown

Defendant

County of San Diego

Defendant

San Diego County Protective Services Workers

Defendant

Julie Smith represented by **Ricky R Sanchez**
County of San Diego Office of County Counsel
1600 Pacific Highway
Room 355
San Diego, CA 92101-2469
(619) 531-4874
Fax: (619) 531-6005
Email: ricky.sanchez@sdcounty.ca.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Nadia Najors

Defendant

Megan Petfinger

Defendant

Rebecca Slade
and Persons and Entities unknown

Defendant

Children's Hospital
TERMINATED: 04/28/2008 represented by **Rita R Kanno**
Lewis Brisbois Bisgaard and Smith
550 West C Street
Suite 800
San Diego, CA 92101-3531
(619)233-1006
Fax: (619)233-8627
Email: rkanno@lbbslaw.com
ATTORNEY TO BE NOTICED

Defendant

Diana Chase
Nurse
TERMINATED: 04/28/2008 represented by **Rita R Kanno**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Debra Davies

Defendant

LCSW

Defendant

Dr. Morteza Mirkarimi
TERMINATED: 04/28/2008

represented by **Tamara Lynn Glaser**
Neil Dymott Frank McFall & Trexler
1010 Second Avenue
Suite 2500
San Diego, CA 92101-4959
(619)238-1712
Email: tglaser@neildymott.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/19/2007	1	COMPLAINT w/ jury demand against all defendants (Filing fee not paid; Motion for IFP filed), filed by Carmen Powell.(lao)(mam). (Entered: 10/19/2007)
09/19/2007	2	MOTION for Leave to Proceed in forma pauperis by Carmen Powell. (lao) (Entered: 10/19/2007)
09/19/2007	3	MOTION/REQUEST to Appoint Counsel by Carmen Powell. (lao) (Entered: 10/19/2007)
10/24/2007	4	ORDER denying without prejudice 2 Plaintiff's Motion for Leave to Proceed in forma pauperis and denying without prejudice 3 Plaintiff's Motion for Appointment of Counsel. To avoid dismissal of her case, Plaintiff has until 11/26/07 to either pay the $350 filing fee or file a motion to proceed in forma pauperis with adequate proof of her inability to pay the filing fee. Signed by Judge John A. Houston on 10/19/07. (jpp) (Entered: 10/24/2007)
10/29/2007	5	ORDER granting Plaintiff's request to file documents under seal. Signed by Judge John A. Houston on 10/19/07. (jpp) (Entered: 10/30/2007)
11/19/2007	7	MOTION for Leave to Proceed in forma pauperis by Carmen Powell. (jpp) (Entered: 11/20/2007)
11/28/2007	8	ORDER granting 7 Plaintiff's Motion to proceed in forma pauperis and directing U.S. Marshal to effect service of process pursuant to 28 USC 1915(d) and Fed.R.Civ.P. 4(c)(2). (summons and IFP package prepared). Signed by Judge John A. Houston on 11/26/07. (jpp) (Entered: 11/28/2007)
11/28/2007	9	Summons Issued as to all Defendants(jpp) (Entered: 11/28/2007)
11/28/2007	10	In forma pauperis letter to Plaintiff. (jpp) (Entered: 11/28/2007)
01/09/2008	11	MOTION to Dismiss *Plaintiff's Complaint* by Julie Smith. (Attachments: # 1 Memo of Points and Authorities in Support of Motion to Dismiss Plaintiff's Complaint)(Sanchez, Ricky) (Entered: 01/09/2008)
01/11/2008	12	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Sgt Cervantes, by Carmen Powell (jpp) (Entered: 01/14/2008)

01/11/2008	13	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Det. Ruth Heinzman, by Carmen Powell (jpp) (Entered: 01/14/2008)
01/11/2008	14	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Julie Smith, by Carmen Powell (jpp) (Entered: 01/14/2008)
01/11/2008	15	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Harinder Grewal, by Carmen Powell (jpp) (Entered: 01/14/2008)
01/11/2008	16	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Diana Chase, by Carmen Powell (jpp) (Entered: 01/14/2008)
01/11/2008	17	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Ceryl Zide, by Carmen Powell (jpp) (Entered: 01/14/2008)
01/11/2008	18	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Dr. Morteza Mirkarimi, by Carmen Powell](jpp) (Entered: 01/14/2008)
01/11/2008	19	Process receipt and return Form USM-285 executed 12/31/07 of summons and complaint served upon Rebecca Slade, by Carmen Powell (jpp) (Entered: 01/14/2008)
01/18/2008	20	MOTION to Dismiss *12(b)(6)* by Children's Hospital, Diana Chase. (Kanno, Rita) (jpp,). (Entered: 01/18/2008)
01/18/2008	21	NOTICE of Joinder by Children's Hospital, Diana Chase re 11 MOTION to Dismiss *Plaintiff's Complaint* (Kanno, Rita) (jpp,). (Entered: 01/18/2008)
01/18/2008	22	NOTICE by Children's Hospital, Diana Chase *DEMAND FOR JURY TRIAL* (Kanno, Rita) (jpp,). (Entered: 01/18/2008)
01/24/2008	23	MOTION to Dismiss *Plaintiff's Complaint* by Morteza Mirkarimi. (Attachments: # 1 # 2)(Glaser, Tamara) (jpp,). (Entered: 01/24/2008)
01/24/2008	24	DEMAND for Trial by Jury by Morteza Mirkarimi. (Glaser, Tamara) (jpp,). (Entered: 01/24/2008)
02/06/2008	25	Ex Parte MOTION For Order Allowing Filing Of Juvenile Records Under Seal by Julie Smith. (Sanchez, Ricky) (jpp,). (Entered: 02/06/2008)
02/07/2008	26	ORDER allowing filing of juvenile records under seal. Signed by Judge John A. Houston on 02/07/08. (jpp) (Entered: 02/07/2008)
02/08/2008	27	MOTION for Continuance by Carmen Powell. (jpp) (Entered: 02/11/2008)
02/12/2008	28	ORDER granting 27 Plaintiff's motion for continuance on Defendant's motions to dismiss 11 , 20 , 23 . Motion Hearing set for 4/28/2008 02:30 PM in Courtroom 11 before Judge John A. Houston. Signed by Judge John A. Houston on 02/11/08.(jpp) (Entered: 02/12/2008)

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05/22/2008	42	Discrepancy Order by Judge John A. Houston accepting document: Untitled

		Sealed Documents from Plaintiff Carmen Powell, non-compliance with local rule Other: Request to seal docuemnts shall be made in an ex parte application or motion that is separate from the documents that Plaintiff wishes to seal, as per 10/29/07 Order docket #5. Signed by Judge John A. Houston on 05/21/08. (jpp) (Entered: 05/27/2008)
05/22/2008	43	ORDER allowing filing of records under seal. Signed by Judge John A. Houston on 05/21/08. (jpp) (Entered: 05/27/2008)
05/30/2008	45	CERTIFICATE OF SERVICE by Carmen Powell. (per courts request). (jpp) (Entered: 05/30/2008)
06/02/2008	46	Ex Parte MOTION *for Order Enlarging Time to Respond to Amended Complaint* by Julie Smith. (Sanchez, Ricky) (jpp). (Entered: 06/02/2008)
06/03/2008	47	ORDER granting 46 Ex Parte Motion to enlarge time to respond to Plaintiff's amended complaint to 06/18/08. Signed by Judge John A. Houston on 06/02/08. (jpp) (Entered: 06/03/2008)

PACER Service Center			
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06/04/2008 10:10:00			
PACER Login:	nd0080	**Client Code:**	10358
Description:	Docket Report	**Search Criteria:**	3:07-cv-01836-JAH-JMA
Billable Pages:	4	**Cost:**	0.32